



#5/A

AR&E Docket No. 96700/708

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant : Nancy Carrasco, Ge Dai and Orlie Levy
Serial No. : 09/995,007
Filed : November 26, 2001
For : THYROID SODIUM/IODIDE SYMPORTER AND NUCLEIC ACID
ENCODING SAME
Examiner : Unknown
Group Art Unit : 1653

COPY OF PAPERS
ORIGINALLY FILED

PRELIMINARY AMENDMENT AND RESPONSE TO
NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

Commissioner for Patents
Washington, D.C. 20231

BOX MISSING PARTS

Sir:

"Express Mail" mailing label No. EV034639937 US

Date of Deposit: April 29, 2002

I hereby certify that this paper or fee is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 CFR 1.10 on the date indicated above and is addressed to the Commissioner for Patents, Washington, D.C. 20231.

Name: Elie H. Gendloff

Signature: 

This Preliminary Amendment and Response is submitted in response to the Notice to File Missing Parts of Nonprovisional Application dated January 28, 2002 in the above case. Applicant hereby requests a one month extension of time for responding to the Notice, and includes the fee for that extension in the payment enclosed herewith. With that one month extension of time, this Response is due on April 28, 2002. Since April 28, 2002 was a Sunday, this Response is timely filed on April 29, 2002.

Applicants would also like the Patent Office to be aware that the Attorney Docket No. of this case is actually 96700/708, and not 96700/393 as stated in the Notice to File Missing Parts.

05/03/2002 NMQHAMM1 00000062 09995007

03 FC:215

05.00 00

05-02-02

AMSTER, ROTHSTEIN & EBENSTEIN

MORTON AMSTER
JESSE ROTHSTEIN (RETIRED)
DANIEL S. EBENSTEIN
PHILIP H. GOTTFRIED
MICHAEL J. BERGER
NEIL M. ZIPKIN
ANTHONY F. LO CICERO
KENNETH P. GEORGE
ABRAHAM KASDAN, PH.D.
IRA E. SILFIN
CHESTER ROTHSTEIN
CRAIG J. ARNOLD

SENIOR COUNSEL
CHARLES R. MACEDO
MARK J. ROSENBERG
KENNETH M. BERNSTEIN

OF COUNSEL
JERRY DAINOW

ATTORNEYS AT LAW
PATENTS • TRADEMARKS • COPYRIGHTS
90 PARK AVENUE
NEW YORK, NEW YORK 10016
TELEPHONE: (212) 697-5995
FACSIMILE: (212) 286-0854

NEAL L. ROSENBERG
DENISE A. LINDENAUER
NANCY M. DODDERIDGE
PATRICK BOLAND
TREBOR LLOYD
JOSEPH M. CASINO
JOHN S. ECONOMOU
MICHAEL V. SOLOMITA
HOLLY PEKOWSKY
MICHAEL P. KENNEY
MARION P. METELSKI
MONIQUE L. RIBANDO

SCOTT MCCLAVE
LISA MELANSON
MAX VERN
DANA R. METES
KARL J. KOLBINGER
BRIAN A. COMACK
RICHARD S. MANDARO
NATALIE BOGDANOS
MARC J. JASON
ELIE H. GENDLOFF, PH.D.
*NOT ADMITTED IN NEW YORK



April 29, 2002

via Express Mail

Commissioner for Patents
Washington, DC 20231

Box MISSING PARTS

"Express Mail" mailing label No. EY 034639937 US
Date of Deposit: April 29, 2002
I hereby certify that this paper or fee is being deposited with the
United States Postal Service "Express Mail Post Office to Addressee"
service under 37 CFR 1.10 on the date indicated above and is
addressed to the Commissioner for Patents, Washington, D.C. 20231.
Name: Elie H. Gendloff
Signature: [Signature]

COPY OF PAPERS
ORIGINALLY FILED

Sir:

Enclosed please find the following documents for filing with the above-identified application in the names of Nancy Carrasco, Ge Dai and Orlie Levy, entitled THYROID SODIUM/IODIDE SYMPORTER AND NUCLEIC ACID ENCODING SAME:

1. a "Preliminary Amendment and Response to Notice to File Missing Parts of Nonprovisional Application" and containing therein a request for a one month extension of time (6 pages) with attached Specification Amendment and Claims After Preliminary Amendment ... (3 pages);
2. a copy of "Notice to File Missing Parts of Nonprovisional Application" as required (2 pages);
3. a paper copy of the Sequence Listing as filed in parent case, U.S. Patent Application Serial No. 09/595,553 (9 pages);
5. an Amster, Rothstein & Ebenstein check in the amount of \$490.00 to cover the basic filing fee (\$370), the late filing fee (\$65) and one month extension of time fee (\$55) for small entity status; and

April 29, 2002

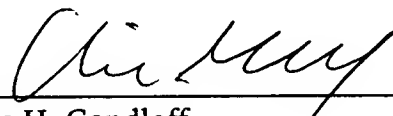
6. a Return receipt postcard.

Please acknowledge receipt of the enclosed documents by stamping the enclosed postcard and returning same.

Respectfully submitted,

AMSTER, ROTHSTEIN & EBENSTEIN
Attorneys for Applicants
90 Park Avenue
New York, New York 10016
(212) 697-5995

Dated: New York, New York
April 29, 2002

By: 
Elie H. Gendloff
Registration No. 44,704



UNITED STATES PATENT AND TRADEMARK OFFICE

COMMISSIONER FOR PATENTS
UNITED STATES PATENT AND TRADEMARK OFFICE
WASHINGTON, D.C. 20231
www.uspto.gov

| APPLICATION NUMBER | FILING/RECEIPT DATE | FIRST NAMED APPLICANT | ATTORNEY DOCKET NUMBER |
|--------------------|---------------------|-----------------------|------------------------|
| 09/995,007 | 11/26/2001 | Nancy Carrasco | 96700/393 |

APR 29 2002

Craig J. Arnold
Amster, Rothstein & Ebensten
90 Park Avenue
New York, NY 10016

COPY OF PAPERS
ORIGINALLY FILED

CONFIRMATION NO. 9968

FORMALITIES LETTER



OC000000007377881

Date Mailed: 01/28/2002

NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

FILED UNDER 37 CFR 1.53(b)

Filing Date Granted

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given **TWO MONTHS** from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The statutory basic filing fee is missing.
Applicant must submit \$ 740 to complete the basic filing fee for a non-small entity. If appropriate, applicant may make a written assertion of entitlement to small entity status and pay the small entity filing fee (37 CFR 1.27).
- Total additional claim fee(s) for this application is \$1890.
 - \$630 for 35 total claims over 20.
 - \$1260 for 15 independent claims over 3.
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(l) of \$130 for a non-small entity, must be submitted with the missing items identified in this letter.
- The balance due by applicant is \$ 2760.
- This application clearly fails to comply with the requirements of 37 C.F.R. 1.821-1.825. Applicant's attention is directed to the final rulemaking notice published at 55 FR 18230 (May 1, 1990), and 1114 OG 29 (May 15, 1990). If the effective filing date is on or after July 1, 1998, see the final rulemaking notice published at 63 FR 29620 (June 1, 1998) and 1211 OG 82 (June 23, 1998). If the effective filing date is on or after September 8, 2000, see the final rulemaking notice published in the Federal Register at 65 FR 54604 (September 8, 2000) and 1238 OG 145 (September 19, 2000). Applicant must provide an initial computer readable form (CRF) copy of the "Sequence Listing", an initial paper or compact disc copy of the "Sequence Listing", as well as an amendment directing its entry into the application. Applicant must also provide a statement that the content of the sequence listing information recorded in computer readable form is identical to the written (on paper or compact disc) sequence listing and, where applicable, includes no new matter, as required by 37 CFR 1.821(e), 1.821(f), 1.821(g), 1.825(b), or 1.825(d). If applicant desires the sequence listing in the instant application to be identical with that of another application on file in the U.S. Patent and Trademark Office, such request in accordance with 37 CFR 1.821(e) may be submitted in lieu of a new CRF.

05/03/2002 NMOHAMM1 00000062 09995007

01 FC:201
02 FC:205

370.00 OF
65.00 OF

For questions regarding compliance to these requirements, please contact:

- For Rules Interpretation, call (703) 308-4216
- To Purchase PatentIn Software, call (703) 306-2600
- For PatentIn Software Program Help, call (703) 306-4119 or e-mail at patin21help@uspto.gov or patin3help@uspto.gov

*A copy of this notice **MUST** be returned with the reply.*



Customer Service Center

Initial Patent Examination Division (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE